

REMARKS

Claims **1, 2, 4-6, 8-12, 15, 16, and 18-21** were pending at the time of the Office Action. Claims **1, 5, and 21** have been amended. Claims **2-4, 7-10, 12-14, 17-18, and 20** have been cancelled. New claims **22-33** have been added. Claims **1, 5, and 22** are independent. As a result of the foregoing Amendment, claims **1, 5, 6, 11, 15, 16, 19, and 21-33** are pending in the application.

Amendments to the Specification, Drawings

The Examiner's acceptance of the amendments to the specification and drawings is graciously acknowledged.

Claim amendments

To advance this case towards allowance, Applicant has carefully reviewed the claims and amended them accordingly. Specifically:

Claim 1 has the limitations of claims 2 and 18 incorporated into it. Claims 2 and 18 are then cancelled.

Claim 5 is amended to incorporate the limitations of claim 10, which is then cancelled. This should put the content of former claim 10 into an allowable independent form, as indicated in the Examiner's Office Action.

Dependent claim 21 was amended to clarify the definition of the bottom external surface relative to the unfolded configuration of the panels.

New independent claim 22 is introduced as a variation of claim 1 incorporating the limitation of claim 19 specifying a magnetic means of retaining the panels so as to make allowable as indicated by the Examiner.

New dependent claim 23 is introduced with the same limitations as claim 18 addressing specific panel number, hinged panel connectivity and inward facing relationship with such limitations supported by FIGS. 1-5 noting FIG. 3 in particular.

New dependent claim 24 is introduced with the same limitation of the inclusion of said tab portion as previously and similarly presented in claim 11.

New dependent claim 25 introduces the further limitation of particularly specifying a first panel as said bottom of bag and said bottom external surface when said mat is an unfolded configuration as in claim 21.

New dependent claim 26 introduces further relational limitations between panels in their folded and unfolded configurations expressed as a combination of previously and similarly presented limitations of claims 8 and 9. Claims 8 and 9 are then cancelled.

New dependent claim 27 claims the panels as integrally formed as a single-piece as supported by the specification (paragraph 0026) similar to that previously presented in claim 16.

New dependent claim 28 is introduced with the same limitation of the inclusion of said tab portion as previously and similarly presented in claim 11.

New dependent claim 29 introduces further relational limitations between panels in their folded and unfolded configurations expressed as a combination of previously and similarly presented limitations of claims 8 and 9. Claims 8 and 9 are then cancelled.

New dependent claim 30 is introduced to particularly claim the use of biocidal materials, which is clearly supported in the specification (paragraph 0026).

New dependent claim 31 introduces further relational limitations between panels in their folded and unfolded configurations expressed as a combination of previously and similarly presented limitations of claims 8 and 9. Claims 8 and 9 are then cancelled.

New dependent claim 32 introduces the further limitation of particularly specifying a first panel as said bottom of bag and said bottom external surface when said mat is an unfolded configuration.

New dependent claim 33 claims the panels as integrally formed as a single-piece as supported by the specification (paragraph 0026) similar to that previously presented in claim 16.

Section 103 rejections

Claims 1, 2, 5, 8, 9, 12, 15 and 16 are rejected as being unpatentable over O'Hare '110 in view of Tennant '999. Of these claims 2, 8, 9 and 12 are cancelled, so the rejections are mooted. Applicant respectfully traverses the remaining claim rejections.

With respect to independent claim 1, the above amendment requires that the mat comprises "three panels" of "at least a semi-rigid nature." The first panel is "attached to said bottom external surface" of the bag. The second panel is "hingedly attached along side edges to the first panel and to the third panel" and the "upper surface portions of the second and third panels are in inwardly facing relationship to each other when said mat is in the folded configuration so as to prevent cross-contamination of said upper surface with a soiled opposing lower surface." The Applicant respectfully submits that neither Tennant '999 nor O'Hare '110, either alone or in combination, expressly teach all of these claimed elements or suggest them in sufficient clear detail to put one of ordinary skill in possession of the invention. Since a principal reason for the use of multiple hinged panels in this invention is *to prevent user contact with surface contamination*, the use of a plurality of panels, and in the case of claim 1 the use of three panels, incorporating the novel folding scheme to achieve this specific end as claimed is non-obvious. Claims 15, 16, 19, 21, and new claims 28-30 are allowable as proper dependent claims of claim 1.

As to independent claim 5, the amendment above effectively presents an independent version of prior claim 10, requiring "a magnetic means of retaining said panels in a folded configuration." The Examiner indicates in the Office Action that claim 10 would be allowable if in independent form. Dependent claims 6, 11, and new claims 31-33 are allowable as proper dependent claims of claim 5.

Claims 4, 6, 18, and 21 were rejected as being unpatentable over O'Hare '110 in view of Tennant '999 and further in view of Gay '957. Of these, claims 4 and 18 are cancelled and claims 6 and 21 are believed to be allowable as proper dependent claims of claims 5 and 1, respectively. It is further respectfully submitted that Gay '957 does not provide the missing elements in the combination of O'Hare '110 and Tennant '999 made above. However, the applicant does want to make one notation about Gay '957. Claim 1 as amended requires "said upper surface portions of the second and third panels" to be "in inwardly facing relationship to each other when said mat is in the folded configuration so as to prevent cross-contamination of said upper surface with a soiled opposing lower surface." The device in Gay '957, particularly Fig. 2, has an "upper surface" as reference number 12 and a "lower surface" as reference number 11. However, in Fig. 4, surface 12 is outwardly directed, so it is not in the "inwardly facing relationship" required by claim 1.

For at least these reasons, claim 1 as amended is allowable over O'Hare '110 in view of Tennant '999 each alone or in combination or in further combination with Gay '957 and dependent claims 15, 16 and 21 are now allowable. The rejection of claims, 2, 4, 8, 9, 12, and 18 are mooted by their cancellation.

Conclusion

Applicant respectfully submits that the present application is now in condition for allowance upon payment of the appropriate fees and such action is earnestly requested.

Respectfully submitted,

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